

## REMARKS

Applicants appreciate the thorough examination of the present application as evidenced by the Office Action of January 14, 2010 (hereinafter, the "Office Action"). In response, Applicants have carefully considered the Examiner's arguments and the teachings of the cited references, and have amended the pending claims as indicated above to clarify the recitations therein. In particular, independent Claim 1 has been amended to clarify that "the speech generating device is external to and physically attachable to the apparatus and is configured as a functional cover," and further that the recited microprocessor is configured to "communicate" with the control unit of the apparatus. Support for these amendments may be found, for example, at paragraphs [0044], [0045], and [0057] of Applicants' Specification. No new matter has been added.

Applicants note that the Office Action Summary erroneously lists the claims pending in the present application as Claims 1-5, 7, 9-13, 15-17, 19, 20, 23, 24, 26-32, 34, 35, 37, 39-42, and 45-47, and indicates that the above-listed claims are objected to. Office Action, page 1. Applicants respectfully submit that the correct list of pending claims should also include Claims 6 and 25, as neither of those claims have been canceled or withdrawn.

For at least the reasons discussed in detail below, Applicants respectfully request further consideration of the pending claims.

### **Status of the Claims**

Claims 1-5, 7, 9-13, 15-17, 19-20, 23-24, 36-32, 34-35, 37, 39-41 and 45 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0049388 to Roth et al. ("Roth") in view of U.S. Patent No. 6,463,263 to Feilner et al. ("Feilner"). *See* Office Action, page 3.

Claims 6, 25, and 42 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Roth in view of Feilner, and further in view of U.S. Patent Application Publication No. 2001/0014860 to Kivimaki ("Kivimaki"). *See* Office Action, page 9.

Claims 9-13 and 28-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Roth in view of Feilner, and further in view of WIPO Patent Publication No. WO/01/57851 to Freeland et al. ("Freeland"). *See* Office Action, page 9.

Claims 46 and 47 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Roth in view of Feilner, and further in view of U.S. Patent Application Publication No. 2002/0159600 to Weiner (“Wiener”). *See* Office Action, page 13.

**Independent Claim 1 Is Patentable over Roth in View of Feilner**

Independent Claim 1, as amended, recites as follows:

An apparatus, comprising:

a display configured to display various readable data; and

a control unit configured to extract a part of the displayed data and configured to send the extracted part of the displayed data to a speech generating device that is configured to generate a speech signal from the extracted part of the displayed data,

wherein the speech generating device is external to and physically attachable to the apparatus and is configured as a functional cover, and wherein the functional cover comprises a shell configured to cover at least a substantial portion of a front of the apparatus and a microprocessor configured to communicate with the control unit of the apparatus (emphasis added).

The Office Action, in rejecting Claim 1, asserts that Roth teaches a speech generating device, but acknowledges that Roth fails to teach a functional cover that is external to and physically attachable to the apparatus, and that comprises a shell and a microprocessor. *See* Office Action, page 3. However, the Office Action asserts that the “shell unit” described by Feilner corresponds to the functional unit recited by Claim 1. *See* Office Action, pages 3-4. Applicants respectfully submit that the combination of Roth and Feilner fails to disclose or suggest at least the above-highlighted recitations of Claim 1 for at least the following reasons.

First, Applicants submit that it would not be obvious to modify Roth to incorporate the teachings of Feilner to provide the recitations of Claim 1 because both Roth and Feilner teach away from such a modification. As noted by Applicants in the Amendment filed October 9, 2009 (the “Previous Amendment”), Roth discloses a text-to-speech (TTS) unit that is internal to the PDA 900 described therein. *See, e.g.*, Roth, paragraph [0123]; Fig. 10 (showing “Text-To-Speech Programming” included within “Mass Storage Device” 1017). Because Roth already includes an internal TTS unit, providing an external TTS or other

speech generating device in addition to the internal TTS unit would be redundant. Roth, therefore, teaches away from the use of an external speech generating device.

Moreover, Feilner teaches away from incorporating any electronic functionality, such as a speech generating device, into the “shell unit” described therein. Feilner discusses a mobile telephone unit comprising a core unit **1** and a shell unit having a front housing **2** and a back housing **3** mounted around the core unit **1**. *See* Feilner, column 5, lines 1-3. According to Feilner, the use of the shell unit allows the outer design of the mobile telephone unit’s housing to be easily and flexibly changed without requiring modification of the core unit of the telephone. *See* Feilner, column 4, lines 45-48. Importantly, Feilner expressly states that the core unit **1** of the mobile telephone unit “constitutes a fully functional mobile telephone including ... all electrical parts which are necessary for carrying out the functionalities of the mobile telephone.” Feilner, column 6, lines 13-16. The shell unit, in sharp contrast, comprises “no electrical units” (Feilner, column 4, lines 13-18), and “is ... not combined with any technical functionality necessary for providing a fully functional mobile telephone” (Feilner, column 6, lines 24-26). In other words, Feilner specifically provides that the shell unit contains no electronic components for providing any functionality to the mobile telephone. Accordingly, Applicants submit that one of skill in the art would not contemplate modifying Roth with the teachings of Feilner to provide the recitations of Claim 1, as asserted by the Office Action.

Second, even if the teachings of Roth were somehow combined with those of Feilner, as alleged by the Office Action, the combination does disclose or suggest a “speech generating device ... external to and physically attachable to the apparatus” and configured as a “functional cover” comprising a “microprocessor,” as recited by Claim 1. As noted above, Roth only discloses an internal TTS, and nowhere discloses or suggests the use of an external speech generating device. Feilner expressly depicts the shell unit described therein as containing “no electrical units” (Feilner, column 4, lines 13-18) and as not providing “any technical functionality” of the mobile telephone unit (Feilner, column 6, lines 24-26); thus, Feilner nowhere discloses or suggests that the shell unit may include a speech generating device. Consequently, the combination of Roth and Feilner would disclose, at most, a PDA with an internal TTS and a shell unit providing a removable and replaceable housing, and not a “speech generating device ... external to and physically attachable to the apparatus,” as recited by Claim 1.

Thus, because the cited portions of Roth and Feilner fail to disclose or suggest at least the above-highlighted recitations of Claim 1, Applicants submit that Claim 1 is patentable for at least the aforementioned reasons. Applicants further submit that dependent Claims 2-7, 9-13, 15-19, and 45 are patentable at least per the patentability of Claim 1 from which they depend.

### **Independent Claims 20 and 39 Are Patentable over Roth and Feilner**

Independent Claims 20 and 39 also stand rejected over the combination of Roth and Feilner. Office Action, pages 6-8. Claim 20, for example, recites as follows:

An apparatus, comprising:

a display configured to display various readable data;

a control unit; and

a speech generating device including a conversion circuit therein configured to convert received data to a speech signal and configured to be connected to a speaker system,

wherein the control unit is configured to extract a part of the displayed data and send the extracted part of the displayed data to the speech generating device at a controllable rate and in response to scrolling the displayed data (emphasis added).

In rejecting Claim 20, the present Office Action cites to the same portions of Roth – paragraphs [0371]-[0373] – that were relied upon by the Office Action of July 10, 2009 (the “Previous Office Action”) as disclosing the above-emphasized recitations of Claim 20. *See* Office Action, page 7; Previous Office Action, page 6. Applicants respectfully submit, however, that the present Office Action fails to address the arguments regarding the patentability of independent Claims 20 and 39 that were presented in Applicants’ Previous Amendment. As noted in Applicants’ Previous Amendment, while the cited portion of Roth may generally describe sending highlighted text to a TTS in response to each scroll in a menu and/or a correction window, Roth does not mention controlling the rate at which the highlighted text is sent to the TTS. *See* Previous Amendment, pages 12-13. Thus, the portion of Roth relied upon by the Office Action neither discloses nor suggests sending data from a control unit to a TTS (or other speech generating device) “at a controllable rate and in response to scrolling the displayed data,” as recited by Claim 20. The present Office Action,

by merely reiterating its earlier grounds for rejection without noting or addressing Applicants' arguments for patentability, falls short of carrying the burden imposed by MPEP § 707.07(f) ("Where the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant's argument and answer the substance of it." (emphasis added)).

Accordingly, Applicants respectfully submit that the Office Action has provided no basis for maintaining the rejection of Claim 20, and that Claim 20 is patentable for at least these foregoing reasons. Furthermore, Claim 39, which includes recitations that are substantially similar to the above-emphasized recitations of Claim 21, is patentable for at least similar reasons. Dependent Claims 23-37, 41, 43, and 46-47 are patentable at least per the patentability of Claims 20 and 39 from which they depend.

#### **Many of the Dependent Claims Are Separately Patentable**

As noted above, the dependent claims are patentable at least per the patentability of independent Claims 1, 20, and 39 from which they depend. Applicants further respectfully submit that the various dependent claims are separately patentable.

For instance, Claim 6 further recites, in relevant part, that the control unit is configured to send the extracted portion of the displayed data to the speech generating device "responsive to input of spaces and/or punctuation marks via the keypad." The Office Action, in rejecting Claim 6, merely repeats the Previous Office Action's assertion that the "punctuation identifiers" discussed in paragraphs [0025], [0046], and [0082] of Kivimaki disclose the above-quoted recitations of Claim 6. *See* Office Action, page 9; Previous Office Action, page 8. Applicants' Previous Amendment, however, noted that while Kivimaki may describe "determining a desired start position from a selection defined by punctuation identifiers" and "outputting speech synthesized text from that [start] position" (Kivimaki, paragraph [0025]), Kivimaki fails to disclose or suggest sending data to a TTS (or other speech generating device) responsive to input of the punctuation identifiers. *See* Previous Amendment, page 13. The Office Action, by repeating the rejection of Claim 6 but failing to note or rebut Applicants' arguments regarding the separate patentability of Claim 6, fails to comply with MPEP § 707.07(f). Applicants accordingly submit that the Office Action has provided no basis for maintaining the rejection of Claim 6, and that Claim 6 is separately patentable for at least these foregoing reasons. Furthermore, Claims 25 and 42, which

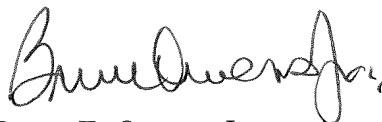
include substantially similar recitations, are also separately patentable for at least similar reasons.

Furthermore, as each of the remaining dependent claims depends from a base claim that is believed to be in condition for allowance, Applicants do not believe that it is necessary to argue the allowability of each of these claims individually. Applicants do not necessarily concur with the Office Action's interpretation of these claims, or with the bases for rejection set forth in the Office Action. Applicants therefore reserve the right to address the patentability of these claims individually as necessary in the future.

### **Conclusion**

Accordingly, based on the above amendments and remarks, Applicants submit that the pending claims are now in condition for allowance. Thus, Applicants respectfully request allowance of these claims and passing the application to issue. Applicants encourage the Examiner to contact the undersigned to resolve any remaining issues.

Respectfully submitted,

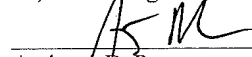


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### **CERTIFICATION OF ELECTRONIC TRANSMISSION UNDER 37 CFR § 1.8**

I hereby certify that this correspondence is being transmitted electronically to the U.S. Patent and Trademark Office on **May 14, 2010** using the EFS.

  
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